

BILL NO. R- 80-03-22

RESOLUTION NO. R- 34-80

A RESOLUTION finding, determining, ratifying and confirming an inducement resolution of the Fort Wayne Economic Development Commission relating to the issuance and sale of up to \$2,000,000 economic development revenue bonds of the City of Fort Wayne, Indiana, for the purpose of inducing Ryder Truck Lines, Inc. to proceed with the acquisition, construction and equipping of a freight terminal facility; determining to issue economic development revenue bonds; approving Preliminary Agreement; and designating costs which may be financed.

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Ryder Truck Lines, Inc., a Florida corporation (the "Applicant"), has advised the Fort Wayne Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer issue its economic development revenue bonds in order to finance the cost of acquiring, constructing, equipping an economic development facility and sell or lease the same to the Applicant, said economic development facility to be a freight terminal operated by the Applicant's Helm's Express Division having a total developed area of approximately 500,000 square feet, including 15.03 acre tract of land located on Coliseum Boulevard West in Washington Township on which the freight terminal is to be located, all as more fully described in Exhibit A to the Preliminary Agreement hereinafter mentioned (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (100-125 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the Common Council having received the advice of the Fort Wayne Economic Development Commission, including copies of the inducement resolution adopted by the Commission on February 21, 1980, the report of public services prepared by the Commission with respect to the Project, and the comments thereon by the Fort Wayne Community Schools and the Allen County Plans Commission it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction and equipping of the Project will not have an adverse competitive effect on any similar facility already constructed or operating in Fort Wayne, Indiana;

WHEREAS, there has been presented to the Common Council a proposed form of Preliminary Agreement between the Applicant and the City (the "Preliminary Agreement") with respect to the acquisition, construction and equipping of the Project by the Applicant for the Issuer and the financing of costs thereof by the Issuer; and

WHEREAS, as contemplated by the Preliminary Agreement, the Applicant is willing to advance the sums necessary to pay the costs of the Project until financing by the Issuer can be accomplished;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, as follows:

1. The Common Council of the City of Fort Wayne finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

2. The Common Council of the City of Fort Wayne approves, determines, ratifies and confirms the determination of the Commission that the issuance and sale of economic development revenue bonds of the Issuer, in an amount not exceeding \$2,000,000, for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council of the City of Fort Wayne hereby approves, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds; provided, however, that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and provided further that the County Council of Allen County consents thereto.

4. The Preliminary Agreement submitted to the Common Council of the City of Fort Wayne, a copy of which shall be marked for identification and filed with the minutes of the meeting at which this resolution is adopted, is hereby approved, and the Mayor is hereby authorized and directed to execute and deliver the same in substantially the form hereby approved with such changes, insertions, deletions and omissions as may be approved by him, the execution and delivery of said Preliminary Agreement by the Mayor being conclusive evidence of such approval; and the City Clerk is hereby authorized and directed to affix the seal of the Issuer to the Preliminary Agreement and attest the same.

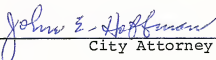
5. All costs of the Project permitted to be financed under the Act including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project may be included as part of the bond issue to finance the Project.

Adopted this day of , 1980.



Councilman

Approved as to form and legality



City Attorney

Read the first time in full and on motion by Slater, seconded by E. isburt, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 3-25-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Slater, seconded by Slater, and duly adopted, placed on its passage. PASSED (~~LOSS~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-8-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ZONING MAP)~~ ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ (APPROPRIATION) ORDINANCE (RESOLUTION) No. R-34-80 on the 8th day of April, 19 80.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Vivian L. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of April, 19 80, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of April 19 80, at the hour of 4 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

4/15/80

BILL NO. R-80-03-22

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION finding, determining, ratifying and confirming
an inducement resolution of the Fort Wayne Economic Development
Commission relating to the issuance and sale of up to \$2,000,000
economic development revenue bonds of the City of Fort Wayne, Indiana
for the purpose of inducing Ryder Truck Lines, Inc. to proceed
with the acquisition, construction and equipping of a freight
terminal facility; determining to issue economic development
revenue bonds; approving Preliminary Agreement; and designating
costs which may be financed

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

John
Mark C. Giaquinta

Paul M. Burns
D. Schmidt

4-8-80
CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
ON APPLICATION OF
RYDER TRUCK LINES, INC.

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by Indiana Code 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to the user or developer; and

WHEREAS, RYDER TRUCK LINES, INC. , (the "Applicant"), has advised the Fort Wayne Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer acquire and equip an economic development facility and sell and/or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facility to be a new truck terminal and office building, new garage building, associated bays, sign, and site improvements on a 15.03 acre tract on Coliseum Boulevard, West, Fort Wayne, Indiana (outside the City limits) for a truck terminal

(the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities to be achieved by the acquisition of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens or the citizens of Allen County, Indiana; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in Allen County:

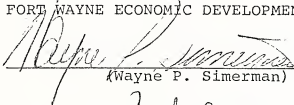
NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission hereby finds and determines that the promotion of diversification of economic development and job opportunities in Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.
2. The Commission hereby finds and determines that the issuance and sale of economic development revenue bonds in an amount of approximately \$2,000,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant, will serve the public purposes referred to above, in accordance with the Act.
3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Commission hereby finds and determines that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds.

4. All costs of the Project which may be financed under the Act will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will sell or lease the same to the Applicant or loan the proceeds from the sale of the bonds to the Applicant for the same purposes.

Adopted this 21st day of February, 1980.

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

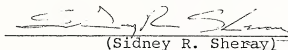


(Wayne P. Simerman)



(Jack Gren)

(Louis R. Dinwiddie)



(Sidney R. Sheray)

REPORT OF THE FORT WAYNE ECONOMIC DEVELOPMENT
COMMISSION CONCERNING THE PROPOSED FINANCING
OF ECONOMIC DEVELOPMENT FACILITIES FOR
RYDER TRUCK LINES, INC.

Having been furnished certain data by the above applicant, and having had discussions with representatives of said applicant, the Fort Wayne Economic Development Commission now submits the following report pursuant to Indiana Code 18-6-4.5-16.

Description of Proposed Facilities

New truck terminal and office building, new garage building, associated bays, sign, and site improvements on a 15.03 acre tract on Coliseum Boulevard, West, Fort Wayne, Indiana (outside the City limits) for a truck terminal.

Estimate of Public Services Required

All public services, including water and sewage, now exist. No public facilities will be made necessary on account of the proposed facilities.

Total Project Cost

The total project cost for the purchase, construction and equipping of the facilities is estimated to be \$2,000,000.00, including costs of issuance of the economic development revenue bonds.

Number of Jobs and Estimated Payroll

It is anticipated there will be approximately 100 new jobs created by this project with an estimated payroll increase of approximately \$2,500,000.00 annually.

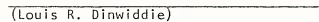
Adverse Competitive Effect

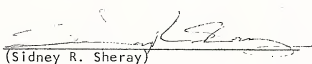
The construction of the facilities will not have an adverse competitive effect on any similar facilities already constructed or operating in or near Fort Wayne, Indiana.

Dated this 21st day of February, 1980.


(Wayne P. Simerman)


(Jack Gryn)


(Louis R. Dinwiddie)


(Sidney R. Sheray)



FORT WAYNE COMMUNITY SCHOOLS

ADMINISTRATIVE CENTER • 1230 SOUTH CLINTON STREET • FORT WAYNE, INDIANA 46802

OFFICE OF THE
SUPERINTENDENT
PHONE 219/425-7272

March 6, 1980

Mr. John E. Hoffman
City Attorney
Hoffman, Moppert & Angel
Suite 1212 Anthony Wayne Bank Bldg.
Fort Wayne, Indiana 46802

Dear Mr. Hoffman:

Any additional enrollments as a result of the new facility for Ryder Truck Lines, Inc., to be constructed at 2626 Coliseum Blvd. West will not create any problems for the Fort Wayne Community Schools.

Very truly yours,

Lester L. Grile
Superintendent of Schools

LLG:jb



Jack G Suter • executive director • 219-423-7096

allen county plan commission • 630 city-county building • one main street • fort wayne, indiana • 46802

March 3, 1980

Fort Wayne Economic
Development Commission
c/o Mr. John E. Hoffman
1212 Anthony Wayne Bank Bldg.
Ft. Wayne, Indiana 46802

Dear Mr. Hoffman:

RE: Ryder Truck Lines, Inc.

This office has reviewed your report on the Ryder Truck Lines, Inc. project and finds that the real estate is properly zoned for the proposed use.

We conclude that the proposed economic development facility will have no adverse physical impact on the community provided all local requirements are met.

Cordially,

A handwritten signature in dark ink, appearing to read "Jack G. Suter", is written over the typed name.

Jack G. Suter

JGS/sw

DIGEST OF BILL

Q-80-03-22

TITLE OF RESOLUTION:

Inducement resolution for issue of \$2,000,000.00
EDC bonds

DEPARTMENT REQUESTING
ORDINANCE:

Fort Wayne Economic Development Commission

SYNOPSIS OF ORDINANCE:

Inducement resolution approving preliminarily
the proposed issue of \$2,000,000.00 economic
development revenue bonds on application of
Ryder Truck Lines, Inc. for construction of new
freight terminal on Coliseum Boulevard West in
Washington Township creating 100-125 new jobs.

EFFECT OF PASSAGE:

Construction of new freight terminal creating
100 to 125 new jobs.

EFFECT OF NON-PASSAGE:

Non-construction of terminal and loss of jobs.

MONEY INVOLVED (DIRECT
COSTS, EXPENDITURES,
SAVINGS:

No direct expenditure.

ASSIGNED TO COMMITTEE:

Finance